

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Dec 04, 2017**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

SEAN F. MCAVOY, CLERK

UNITED STATES OF AMERICA,

No. 17-CR-02038-SMJ-5

Plaintiff,

v.

**ORDER GRANTING MOTION TO  
WITHDRAW AND REFERING  
THIS MATTER TO MAGISTRATE  
JUDGE DIMKE FOR  
APPOINTMENT OF COUNSEL**

JOSE CERVANTES-VARGAS, (05),

Defendant.

**\*\*\*EX PARTE\*\*\***

Before the Court, without oral argument, is David M. Miller's Motion to Withdraw as Counsel for Defendant Jose Cervantes-Vargas, ECF No. 352. Having reviewed the pleadings and the file in this matter, the Court is fully informed and finds good cause to grant the Motion. The Court permits David M. Miller to withdraw. Because Defendant qualifies for appointment of counsel under the Criminal Justice Act, the Court refers this matter to Magistrate Judge Dimke for appointment of counsel

Accordingly, **IT IS HEREBY ORDERED:**


1. Mr. Miller's Motion to Withdraw as Counsel for Defendant Jose Cervantes-Vargas, **ECF No. 352**, is **GRANTED**.

1           **2.**     The Clerk's Office shall **TERMINATE** David M. Miller as counsel  
2                   for Defendant.

3           **3.**     This case is **REFERRED** to Magistrate Judge Dimke for appointment  
4                   of new defense counsel.

5           **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and  
6     provide copies to all counsel, Magistrate Judge Dimke, the U.S. Probation Office,  
7     and the U.S. Marshal's Service.

8           **DATED** this 4th day of December 2017.

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10                  \_\_\_\_\_  
                  SALVADOR MENDEZ, JR.  
                  United States District Judge